

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/583,286
Cnfrm. No.	:	9818
Applicant(s)	:	Yoshio Yamauchi et al.
Filed	:	December 17, 2004
Title	:	METHOD FOR ANALYZING PROTEINS
TC/A.U.	:	none
Examiner	:	none
Docket No.	:	IWI-16646

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND RESPONSE TO OFFICE

COMMUNICATION OF AUGUST 7, 2007

Sir:

In response to the Communication mailed August 7, 2007 and the Notification of Missing Requirements under 35 U.S.C. 371 mailed March 16, 2007, Applicants Petition the Commissioner under 37 C.F.R. 1.182 to accept the Declaration on file supplemented by the enclosed declaration under 37 C.F.R. § 1.67. The Notice states that the current Declaration does not comply with 37 C.F.R. 1.497(a) and (b) because it (1) fails to comply with either 37 C.F.R. 1.66 or 1.68, and (2) that the family name of the second inventor does not correspond with the name on the published application. The second inventor's name was mistranslated from the Japanese language to the English language in the PCT application, published as WO 2005/059538 A1. The second inventor's name is, in fact:

Takashi SHINKAWA.

As evidence of this, Applicants enclose copies of the following:

1. Declaration of the second inventor of the subject application, Takashi SHINKAWA, attesting to the fact that he is an inventor, and it was his name that was intended to be noted as the second inventor, rather than the mistranslated ARAWAKA.
2. Declaration of Patent Attorney Yuji Iwahashi, the Japanese Patent Attorney who handled the priority filing of the corresponding application in Japan as well as the PCT filing, that the second inventor of the subject application, Takashi SHINKAWA, is known to Mr. Iwahashi, and that Takashi SHINKAWA is an inventor of the subject application.
3. Copy of the front page of the corresponding Canadian Patent Application, CA2550017 (A1), showing the name of the second inventor as "SHINKAWA, TAKASHI."
4. Copy of front page of the corresponding Australian Patent Application, AU 2004300084 A1, showing the name of the second inventor as "SHINKAWA, TAKASHI."

Based on the evidence presented, Applicants respectfully petition the Commissioner to accept the declaration executed on June 6, 2006, as supported by the declarations filed herewith as sufficient to meet the requirements of 37 C.F.R. 1.497(a) and (b), as well as 37 C.F.R. 1.68, in establishing that the name of the second inventor is, in fact, Takashi SHINKAWA.

Because a petition fee of \$400 was paid in support of the previous petition in the above-captioned patent application, and the petition was dismissed, it is believed that the \$400 previously paid may be applied to the instant petition-response. If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 18-0160, our Order No. IWI-16646.

Included herewith is also a petition for a three (3) month extension of time extending the response deadline in the Office Communication from October 7, 2007 until January 7, 2008.

Respectfully submitted,

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Enclosures